

## REMARKS

### INTRODUCTION

In accordance with the foregoing, claims 1, 4, 5, 24, and 29 have been amended. Claims 3 and 28 have been cancelled. Claims 6-21 and 30-34 are withdrawn. Claims 35 and 36 have been added.

Claims 1, 4-26, and 29-36 are pending.

### ELECTION/RESTRICTION

On page 2, the Office Action states "since [the] Applicants have received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 6 [is] withdrawn from consideration as being directed to a non-elected invention."

Claim 6 was amended in the September 4, 2006 Amendment to change the dependency from cancelled claim 2 to independent claim 1. The status of claims 6-21 and 30-34 was acknowledged as "withdrawn" in the September 4, 2006 Amendment.

### ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

The Applicants request entry of this Rule 116 Response because:

it is believed that the amendment of claims 1, 4, 5, 24, and 29 places this application into condition for allowance.

The Manual of Patent Examining Procedure sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedure further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

### ALLOWABLE SUBJECT MATTER

Claims 3-5, 23, 26, and 28 contain patentable subject matter and would be allowable if rewritten in independent form, including all of the restrictions of the base claim and any intervening claims.

Claims 3 and 28 have been canceled.

Independent claim 1 has been amended to include the allowable subject matter of dependent claim 3. Independent claim 24 has been amended to include the allowable subject matter of dependent claim 28. For this reason, *inter alia*, independent claims 1 and 24 are also allowable. Therefore, claims 3-5 and 22-23, which depend on amended independent claim 1 and claims 25-26, which depend on amended independent claim 24 are allowable.

#### REJECTIONS UNDER 35 U.S.C. § 102

Claims 1 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,854,696 (Yun). Claim 22 depends from claim 1 and includes all of the features of that claim plus additional features, which are not taught or suggested by the cited reference. Therefore, for at least these reasons, it is respectfully submitted that claims 1 and 22 also patentably distinguish over the cited reference.

In view of the above, it is respectfully submitted that the rejection is overcome.

Claims 24 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,967,239 (Sakakura). Claim 25 depends from claim 24 and includes all of the features of that claim plus additional features, which are not taught or suggested by the cited reference. Therefore, for at least these reasons, it is respectfully submitted that claims 24 and 25 also patentably distinguish over the cited reference.

Claims 24 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,419,543 (Nakamura). For the reasons stated above, it is respectfully submitted that claims 24 and 25 also patentably distinguish over the cited reference.

Claim 29 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,770,555 (Deschamps).

Amended, independent claim 29 recites "having a print head with an ink jet nozzle mounted thereon."

The Office Action states that the motor 22 of Deschamps is the compulsory power switching unit. Deschamps fails to disclose, "a compulsory switching unit ... having a print head with an ink jet nozzle mounted thereon."

Withdrawal of the rejection is respectfully requested.

#### NEW CLAIMS

New claim 35 recites "the clutch, comprising: a rotation axis disposed at the frame, a

paper-feed clutch gear disposed at the rotation axis to engage with the printer driving part, and having paper-feed clutch teeth formed on a face thereof." New claim 36 recites "first and second clutch gears rotatably disposed at the rotation axis to selectively receive the power from the main clutch gear and moving from a paper-feed driving position and a scanner driving position." Nothing in the cited references teaches or suggests such. It is submitted that these new claims, which are different and not narrower than prior filed claims distinguishes over the cited references.

#### CONCLUSION

In accordance with the foregoing, the Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited references. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, the Board should enter this Amendment at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration.

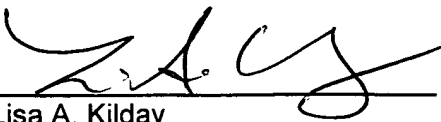
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11/27/06

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